

Service Date: August 24, 1987

DEPARTMENT OF PUBLIC SERVICE REGULATION  
BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MONTANA

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IN THE MATTER Of The Montana	)	UTILITY DIVISION
Public Service Commission's	)	
Investigation of Federal Tax	)	DOCKET NO. 86.11.62 (9)
Reform Impacts on Public	)	
Utility Revenue Requirements.	)	ORDER NO. 5283b
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ORDER ON MOTION FOR RECONSIDERATION

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FINDINGS OF FACT

1. On July 27, 1987, the Montana Public Service Commission (MPSC or Commission) approved Interim Order No. 5283, which disposed of all matters then pending in Docket No. 86.11.62 (9).

2. On August 10, 1987, Montana Power Company (MPC, Company, or Applicant) filed with the Commission its Motion For Reconsideration of Interim Order 5269a [sic] and Brief in Support Thereof (Motion). (The Commission notes that the number 5269a was a typographical error and should have read "Interim Order 5283.")

The Motion requested reconsideration of the following two matters:

- 1.) Rate of Return on Equity
- 2.) Application of Decrease to Stauffer

3. The Commission's decision concerning MPC's motion for reconsideration of the approved interim rate of return on equity is the subject of Order No. 5283a. The subject of this order, Order

No. 5283b, is MPC's motion for reconsideration concerning the application of the interim decrease to Stauffer Chemical Company.

Application of Decrease to Stauffer

4. Finding of Fact No. 30 in Interim Order No. 5283 exempted application of the decrease to the EIRI and EEI customers. In its Motion, MPC directed the Commission's attention to the EIRI tariff for Stauffer Chemical Company, which states:

After July 1, 1987, the energy charge and customer charge shall be adjusted to reflect the system average percentage increase or decrease in retail electric rates on the date the Commission makes effective such increase or decrease.

5. Based on that tariff language, MPC requested that the Commission reconsider its decision concerning Stauffer.

6. Upon analysis of the EIRI tariff language concerning Stauffer Chemical Company, the Commission agrees that Stauffer should not be excluded from the application of the interim rate decrease and GRANTS the Company's motion to reconsider this matter.

CONCLUSIONS OF LAW

1. The Applicant, Montana Power Company, furnishes electric service to Montana consumers, and is a "public utility" under the regulatory jurisdiction of the Montana Public Service Commission. Title 69, Chapter 3, MCA.

2. The Montana Public Service Commission properly exercises jurisdiction over the Applicant's Montana operations pursuant to Title 69, Chapter 3, MCA.

ORDER

THEREFORE THE MONTANA PUBLIC SERVICE COMMISSION ORDERS THAT:

1. The Motion For Reconsideration of portions of Interim Order No. 5283 by the Applicant, Montana Power Company, concerning the application of the interim decrease granted in Interim Order No. 5283 to Stauffer Chemical Company, is hereby GRANTED.

2. When Montana Power Company files revised rate schedules pursuant to Interim Order No. 5283, the Company is to reflect the ruling of the Commission in Order No. 5283b on the matter of the application of the interim decrease to Stauffer Chemical Company.

DONE IN OPEN SESSION at Helena, Montana, this 19th day of August, 1987, by a vote of 4-0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

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CLYDE JARVIS, Chairman

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HOWARD L. ELLIS, Commissioner

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TOM MONAHAN, Commissioner

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DANNY OBERG, Commissioner

ATTEST:

Ann Purcell  
Commission Secretary

(SEAL)

NOTE: Any interested party may request that the Commission reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.